



**Wisconsin Department of Agriculture, Trade and Consumer Protection**  
 Division of Agricultural Resource Management  
 Bureau of Plant Industry  
 P.O. Box 8911, Madison WI 53708-8911  
 Phone: (608) 224-4573 Fax: (608) 224-4656

**Wisconsin Department of Agriculture, Trade and Consumer Protection**  
**JAPANESE BEETLE COMPLIANCE AGREEMENT**

<b>1. COMPANY NAME:</b>		<b>2. CONTACT NAME:</b>	
<b>3. MAILING ADDRESS:</b>	<b>4. COUNTY:</b>	<b>5. E-MAIL:</b>	
		<b>6. TELEPHONE:</b>	<b>7. FAX:</b>
<b>8. PHYSICAL LOCATION:</b>			

**REGULATED ARTICLES (Host Commodities):**

*Soil, humus, compost, manure, and all growing media. All plants with roots, grass sod, plant crowns, or roots for propagation. Bulbs, corms, tubers, and rhizomes or ornamental plants. Any other plant, plant part, article, or means of conveyance that presents a hazard of spreading live Japanese beetle.*

**APPLICABLE STATE QUARANTINE(S) REGULATIONS:**

The following states have established quarantines against Japanese beetle, its hosts, and possible carriers: Alabama, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington.

**ISSUING STATE AUTHORITY, BACKGROUND INFORMATION, AND TERMS:**

Wis. Stat. § 94.10 authorizes the Wisconsin Department of Agriculture, Trade and Consumer Protection "Department" to enter into compliance agreements with persons engaged in the growing, handling, or moving of plants or plant products.

Japanese beetle (*Popillia japonica*) is a destructive plant pest. Japanese beetle grubs damage lawns, golf courses, and pastures. Japanese beetle adults attack the foliage, flowers, or fruits of more than 300 different ornamental and agricultural plants. Japanese beetles were first found in the U.S. in 1916 and has since spread to most of the eastern U.S.

The above nursery enters into this compliance agreement with the Department in order to qualify the movement of nursery and greenhouse plants to areas with a Japanese beetle (JB) regulatory strategy. All shipments of host commodities shall be in accordance with the National Plant Board U.S. Domestic Japanese Beetle Harmonization Plant and regulations of the receiving state.

This agreement is subject to Wis. Stat. § 94.10. Any certificates issued for use by <participating nursery> remain the property of the Department and may not be distributed for use by any other entity, and must be returned upon request of the inspector or any other authorized representative of the Department. No liability shall be attached to the Department or to any representative of the Department with respect to this certificate.

I, (name) \_\_\_\_\_ the undersigned, agree to handle, pack, process, and move host plants and commodities in accordance with all applicable best management practices, nursery laws and regulations; use all permits and certificates in accordance with instructions; maintain and offer for inspection such records as may be required; and abide by the stipulations in the attached modules.

<b>9. SIGNATURE:</b>	<b>10. NAME/TITLE:</b>	<b>11. DATE SIGNED:</b>
The affixing of the signatures below will validate this agreement, which shall remain in effect until (date)_____but may be revised as necessary or revoked for noncompliance.		<b>12. NURSERY LICENSE #(S):</b>
<b>13. PLANT PEST AND DISEASE SPECIALIST, Wisconsin Department of Agriculture, Trade and Consumer Protection:</b>  Shanon Hankin _____ (print) (sign) (date)		<b>ADDRESS:</b> 2811 Agriculture Drive PO Box 8911 Madison WI 53708-8911
<b>14. PLANT PROTECTION SECTION CHIEF, Wisconsin Department of Agriculture, Trade and Consumer Protection:</b>  Shahla Werner _____ (print) (sign) (date)		

## Regulatory Strategies

The **U.S. Domestic Japanese Beetle Harmonization Plan** (Harmonization Plan) provides four Japanese beetle regulatory strategies based on a state's pest classification. These classifications are as follows:

- Category 1 – Uninfested/Quarantine Pest
- Category 2 – Uninfested or Partially Infested
- Category 3 – Partially or Generally Infested
- Category 4 – Historically not known to be infested/Unlikely to Become Established

The Japanese Beetle Harmonization Plan should be carefully reviewed before shipping any regulated article from a state known to be infested with Japanese beetle. The complete plan can be viewed on the National Plant Board website (<http://nationalplantboard.org/japanese-beetle-harmonization-plan/>)

When there are conflicting requirements, state quarantines supersede the U.S. Japanese Beetle Harmonization Plan.

## State Quarantines or Regulations

Regulated articles shipped to **category 1** and **category 2** states must be produced and certified according to options as outlined in the current version of the "U.S. Domestic Japanese Beetle Harmonization Plan". Any additional requirements or limitations imposed by a state quarantine must be followed. Below is a list of those states with established Japanese beetle quarantines, the title of their Japanese beetle quarantine regulations, and links to each state's quarantine:

### **Category 1 States**

Arizona - Administrative Code, Title 3, Chapter 4, Supp. 12-3, Section R3-4-248

(<https://agriculture.az.gov/r3-4-248-japanese-beetle>)

California – Code of Regulations, Title 3, Division 4, Chapter 3, Subchapter 4, Article 3, Section 3280

([http://pi.cdfa.ca.gov/pqm/manual/htm/pqm\\_index.htm](http://pi.cdfa.ca.gov/pqm/manual/htm/pqm_index.htm))

Idaho - Administrative Code, Rule 02.06.24

(<http://adminrules.idaho.gov/rules/2001/02/0624.pdf>)

Montana – Order MTQ-2013-01

(<http://agr.mt.gov/agr/Programs/PestMgt/quarantines/>)

Nevada – Administrative Code, Chapter 554.162 through 554-220

(<http://agri.nv.gov/Resources/Regulations/Nursery/>)

Oregon – Administrative Rules, Chapter 603, Division 52, Section 603 -52-0127

([http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_603/603\\_052.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_603/603_052.html))

Utah – Administrative Code, Rule R68-15

(<http://www.rules.utah.gov/publicat/code/r068/r068-015.htm>)

Washington – Administrative Code, Title 16, Chapter 470, Section 16-470-700 through 19-470-720

(<http://apps.leg.wa.gov/wac/default.aspx?cite=16-470>)

### **Category 2 States with established quarantines**

Alabama – Administrative Code, Chapter 80-10-4

(<http://www.alabamaadministrativecode.state.al.us/docs/agr/McWord10AGR4.pdf>)

Colorado - Code of Colorado Regulations, Number 8 CCR 1203-21

(<https://www.colorado.gov/pacific/sites/default/files/Rules%20for%20Nursery%20Program%20->

New Mexico – Administrative Code, Title 21, Chapter 17, Part 27 Section 21.17.27.1 through 21.17.27.12

(<http://www.nmda.nmsu.edu/entomology-nursery/plant-quarantines/>)

### **Regulated Articles and Host Commodities**

- **Soil, humus, compost, manure, and all growing media** (except when commercially packaged)
- **All plants with roots** (except bareroot plants free from soil). Free from soil means plants with less the amount of soil or growing media that can harbor any life stage of Japanese beetle (egg, pupa, or larva). Some states define this as free from soil or growing media larger than ½ inch.
- **Grass sod**
- **Plants with crowns or roots for propagation** (except when free from soil)
- **Bulbs, corms, tubers, and rhizomes** of ornamental plants (except when free from soil)
- **Any other plant, plant part, article, or means of conveyance** when it is determined by the receiving to present a hazard of spreading live Japanese beetle due to infestation or exposure to infestation by Japanese beetle.

### **Responsibilities of the Place of Production**

#### **A. Training**

The participant shall educate and train appropriate personnel on the following:

1. The stipulations of this compliance agreement
2. The requirements of the most current version of the U.S. Domestic Japanese Beetle Harmonization Plan
- 3.

#### **B. Pest Management Plan**

The Harmonization Plan provides several pest management options for the shipment of regulated articles from Japanese beetle infested areas to states that are uninfested or partially infested.

**Note that several states (listed below) have requirements that differ from those detailed in the Harmonization Plan. Please indicate where you intend to ship and which condition(s) you are planning to employ by checking all of the appropriate boxes below.**

#### **Shipment to Category 1 States**

Regulated articles may be shipped to **Category 1** states based on the conditions detailed in the U.S. Domestic Harmonization Plan (Harmonization Plan).

- Production in an Approved Japanese Beetle Free Greenhouse/Screenhouse
- Production During a Pest Free Window
- Application of Approved Regulatory Treatments
- Detection Survey for Origin Certification
- Adult Japanese Beetle Mitigation

#### **Shipment to Category 2 States**

Regulated articles from any infested area may be shipped to **Category 2** states under any of the certification protocols outlined in the Harmonization Plan for shipment to **Category 1** states, or any of the protocols described in the Harmonization Plan for shipment to **Category 2** states which include:

- Application of Approved Regulatory Treatment
- Japanese Beetle Nursery Trapping Program
- Field Grown Nursery Stock Accreditation Program
- Containerized Nursery Stock Accreditation Program
- Shipment of Sod (specific requirements for sod)
- Adult Japanese Beetle Mitigation

### States with additional Japanese beetle requirements

- Colorado
  - Containers over 16 inches in diameter are not eligible for Container Nursery Stock Accreditation Program
  - Media incorporation may not be used as a means of certification
- Idaho
  - Drench treatments are not approved for shipments of grasses and/or sedges
  - Dip treatments are not approved for B&B stock
- Montana
  - Shipments must arrive outside of the Japanese beetle flight season (October 1<sup>st</sup> – May 31<sup>st</sup>)
  - Shipments of field grown nursery stock are prohibited entrance during the period of June 1<sup>st</sup> – September 30<sup>th</sup> annually unless shipped under a bonded compliance agreement with the Montana Department of Agriculture
- Nevada
  - Advanced notification is required for regulated articles which have been treated with a pesticide
- Oregon
  - Drench treatments are not approved for shipments of grasses and/or sedges
- Utah
  - Drench treatments are not approved for shipments of grasses and/or sedges

### Treatments

Please refer to the Harmonization Plan Appendixes or the destination state's quarantine for a list of approved treatments.

*Contact your Nursery Inspector in advance if official verification of any regulatory treatment is required.*

### C. Internal Verification

#### Inspection/Pest Monitoring

- The nursery must visually inspect plant material for the presence of Japanese beetle adults prior to and while loading, and follow adult mitigation certification requirements listed in the Plan, when applicable.
- The nursery shall allow the Wisconsin Department of Agriculture access to conduct inspections and, if necessary, collect specimens or samples of damage for identification.

### D. Traceability

**Advanced notification to the following states is required:** California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, and Washington

### E. Record Keeping

- All regulatory treatments records must be identified in pesticide application log.
- Record of regulatory treatments must be maintained for a minimum of 3 years.
- Records of plant material shipped under this agreement must be maintained for a minimum of 3 years.
- Applicable Training Records
- Pesticide Application Records

### Responsibilities of the Wisconsin Department of Agriculture Trade and Consumer Protection

- May witness regulatory treatments as needed for certification
- Will issue required certification with required additional declarations to be used for shipments of regulated articles covered by this agreement.
- May make periodic inspections to verify compliance with the agreement.
- May conduct periodic inspections of stock being loaded for shipment and the shipping areas may be made to assure compliance with this agreement, and freedom from infestation by Japanese beetle

